

DNR REGULATORY AGENDA FOR SFY 2008
FORM FOR REGULATORY ACTION DESCRIPTION

Rule Making Authority

Director ☐
Environmental Protection Commission (EPC) ☒
Natural Resource Commission (NRC) ☐
Energy & Geological Resource Division ☐

Title of Regulatory Action

Water supply well construction related wastewater discharge rules

Rule Chapter(s) that may be involved

567—Chapter 49 Nonpublic Water Supply Wells
567—Chapter 43 Water Supplies –Design and Operation
567—Chapter 50-53 Withdrawal, Diversion and Storage of
Water: Water Rights Allocation

Description of Contemplated Regulatory Action

(Including, to the extent reasonable and practicable, alternatives to be considered and preliminary estimate of costs and benefits of the Action)

The water supply well construction related chapters will be amended to add language that defines well construction site related run-off, the measurement method used to determine compliance, and that industry best management practices shall be implemented to provide treatment to the wastewater before it can enter a water of the state.

Legal Basis

(Include whether action is required by statute or court order)

The IDNR has the authority to require all well installations to follow minimum construction requirements and that those requirements are adopted and enforced based on the protection of the water resources of the state. Code of Iowa 455B.173)

Need for Regulatory Action

(Include if applicable how the action will reduce risk to public health, safety, or the environment)

Currently, all well construction sites generate construction related wastewater. Chapter 49 has language defines the disposal of drilling mud but not the cleaner, less mud-like wastewater that all well sites generate. Chapters 43, 50-53 do not include any rules on the disposal of well construction related wastewater. Well construction generated wastewater requires management by the property owners, well contractors, county sanitarians, and the department to ensure that waters of the state are not impacted. The lack of a defined rule has created an area where all of those involved in the well construction process do not have a common basis for determining how this discharge will be measured, what the action level will be to initiate enforcement action, and how to determine if a violation has or has not occurred.

**Other Affected/Interested
Rule Making Authorities**

Beef Industry Council, DED, IDALS, Egg Council, Petroleum
Underground storage tank fund, Sheep and Wool Promotion
Board, Turkey Marketing Council

**Potential Public Groups
Impacted**

All water well contractors working within the state of Iowa.
Towns, cities, industry, and citizens of Iowa who would like to utilize the
groundwater through the use of a water supply well.
Various environmental groups who monitor water quality in the state's surface
water resources

Schedule:

(Actions & month/year)

8/07: Stakeholder group meetings 11/07: Submit to EPC as an Information Item (draft rules) 12/07: Submit to EPC as a Decision Item (proposed rules) 1/08: Notice of Intended Action published in Iowa Administrative Bulletin 2/08: Hold public hearing & public comment period 3/08: Submit to EPC as a Decision Item (final rules) 4/08: Adopted & filed published in Iowa Administrative Bulletin
--

Staff Contact/Phone #

Russ Tell, Environmental Specialist, Water Supply Operations, 515/725-0462
--